

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office SEP 13 1990

Returned to applicant for correction OCT 24 1990

Corrected application filed DEC 07 1990 Map filed DEC 19 1990

The applicant Bonneville Nevada Corporation

257 East 200 South; Suite 800 of Salt Lake City

Street and No. or P.O. Box No.

City or Town

Utah 84111 hereby make... application for permission to change the

State and Zip Code No.

point of diversion and place of use of a portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 54129

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Identify right in Decree.

1. The source of water is underground
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 1.15 cfs
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Industrial (cogeneration power plant)
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Industrial (cogeneration power plant)
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, T.19S.,
Describe as being within a 40-acre subdivision of public survey and by course and
R63E., M.D.B.&M. or at a point from which the S $\frac{1}{4}$ corner of said Section 13 bears
distance to a section corner. If on unsurveyed land, it should be stated.
S. 48° 32' 19" W. a distance of 1779.15 feet
6. The existing permitted point of diversion is located within NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7, T.20S., R.64E.,
If point of diversion is not changed, do not answer.
M.D.B.&M. or at a point from which the Northwest corner of said Section 7 bears
North 16° 31' 49" West a distance of 2861.12 feet.
7. Proposed place of use within a portion of SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
T.20S., R.64E., M.D.B.&M., approximately 14.5 acre, and within a portion of SE $\frac{1}{4}$
NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34, T.18S., R.63E., M.D.B.&M., approximately 23.5 acres
8. Existing place of use within a portion of SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
T.20S., R.64E., M.D.B.&M. approximately 14.5 acres.
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1st to December 31st of each year.
Month and Day Month and Day
10. Use was permitted from January 1st to December 31st of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled well with pump and motor, pipelines
State manner in which water is to be diverted, i.e. diversion structure,
to places of use.
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$2,000,000.00
13. Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use 3 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

In addition to changing the point of diversion of 1.15 cfs appropriated under

Permit 54129, the place of use is to include not only the 85 MW cogeneration

plant in Black Mountain Area but also an 85 MW plant in Garnet Valley. The annual consumptive use is anticipated to be 2.3 cfs continuous flow or 1665 AF per year, under Applications 55269 and 55270.

By s/Roland D. Westergard
ROLAND D. WESTERGARD, P.E.
207 CARVILLE CIRCLE
CARSON CITY, NEVADA 89703

Compared bc/ bc am/se

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 54129 is issued subject to the terms and conditions imposed in said Permit 54129 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

The total combined duty of water under Permits 55269 and 55270 shall not exceed 1,665 acre-feet annually.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped and the amount of water used for industrial purposes.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to

exceed 1.15 cubic feet per second, but not to exceed 832.57 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before September 11, 1992

Proof of completion of work shall be filed before October 11, 1992

Application of water to beneficial use shall be made on or before September 11, 1995

Proof of the application of water to beneficial use shall be filed on or before October 11, 1995

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed JUL 30 1992

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 5th day of July,

A.D. 19 91

[Signature]
 State Engineer